

## Equality Analysis Template.

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| <b>Directorate:</b> City Environment / Place<br><br><b>Service Area:</b> Markets / Street Trading                                                                                                                                                                  | <b>Lead Officer:</b> Emma Caddick<br><br><b>Date completed:</b> 01.04.2022 |
| <b>Service / Function / Policy / Procedure to be assessed:</b><br>Street Trading policy creation and implementation.                                                                                                                                               |                                                                            |
| <b>Is this:</b><br>New / Proposed <span style="float: right;">Y</span><br>Existing/Review <span style="float: right;"><input type="checkbox"/></span><br>Changing <span style="float: right;"><input type="checkbox"/></span><br><br>(Please tick appropriate box) | <b>Review date:</b> February – June 2022                                   |

### Part A – Initial Equality Analysis to determine if a full Equality Analysis is required.

**What are the aims and objectives/purpose of this service, function, policy or procedure?**

Although there is no statutory requirement to have a policy for street trading, the implementation of a policy will provide a transparent delivery framework for City of Wolverhampton's street trading offer. It will aim to create a street trading environment which is sensitive to the needs of the public and businesses, provides quality consumer choice and contributes to the character and ambience of the local environment whilst ensuring public safety, and preventing crime, disorder, and nuisance.

The policy will seek alignment with public realm objectives and outputs, and work to contribute to the creation of a high-quality and vibrant visitor destination by setting out a flexible approach to capture trade line diversity.

Implementation of a street trading policy will:

- Clearly set out the **applicant suitability criteria**
- Clearly set out the **application consideration criteria** (including consideration of diverse trade lines)
- Provide traders with a more **flexible design criteria** (encouraging unique and vibrant unit designs from both existing and new traders)
- Set out the regularity of trader **compliance checks**
- Include **Hostile Vehicle Mitigation measures** as required by Counter Terrorism Police (for the appropriate consent areas of the City)
- Clearly set out the street trading framework to inform a **fee review** (ensuring fees cover the council's costs appropriately)

Please indicate its relevance to any of the equality duties (below) by selecting Yes or No?

|                                                                   | Yes | No |
|-------------------------------------------------------------------|-----|----|
| Eliminating unlawful discrimination, victimisation and harassment |     | No |
| Advancing equality of opportunity                                 | Yes |    |
| Fostering good community relations                                |     | No |

**If not relevant to any of the three equality duties and this is agreed by your Head of Service**, the Equality Analysis is now complete - please send a copy to the Equality & Diversity Team. **If any of the three equality duties are relevant**, a Full Equality Analysis will need to be undertaken (PART B below).

### PART B: Full Equality Analysis.

#### Step 1 – Identifying outcomes and delivery mechanisms (in relation to what you are assessing)

|                                        |                                                                                                                                                                                         |
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| What outcomes are sought and for whom? | <b>Policy implementation outcome / objective</b><br>The policy outlines the trading consent application consideration criteria.<br><br><u>Attracting culturally diverse trade lines</u> |
|----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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|                                                                                                        | <p>Within the section 'Selling the Right Goods', it is stated that the "quality and innovative approach will be considered". Although not explicitly stated, in particular, the Council will look favourably on any culturally diverse trade lines (e.g. food) during it's consideration process.</p> <p><u>Consideration of physically disabled customers</u><br/> Within the consent application consideration criteria, it is intended to explicitly stated that the Council will favourably consider traders who make allowance for disabled customers (e.g. wheelchairs). However, this will not be a mandatory condition.</p> <p><b>User accessibility for application forms</b><br/> Applications are to be submitted online with all required evidence as a complete application. Where online accessibility is an issue for an applicant or the application is required in an alternative format, the policy outlines information for who the applicant can contact in such circumstances.</p> |
| <b>Are there any associated policies, functions, services or procedures?</b>                           | <p>Policy: Street Trading policy.</p> <p>Function: Consent applications are considered by Markets.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>If partners (including external partners) are involved in delivering the service, who are they?</b> | Not applicable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

## Step 2 – What does the information you have collected, or that you have available, tell you?

**What evidence/data already exists about the service and its users?** (in terms of its impact on the 'equality strands', i.e. race, disability, gender, gender re-assignment, age, religion or belief, sexual orientation, maternity/pregnancy, marriage/civil partnership and other socially excluded communities or groups) and **what does the data tell you?** e.g. are there any significant gaps?

### **Diversity of the street trading offer**

Existing street traders in Wolverhampton City Centre, Bilston and Wednesfield comprise mostly food offering of ice cream, hot/cold sandwiches, hot dogs, burgers, chips, doughnuts, jacket potatoes. Match day traders comprise mainly food as listed above or football merchandise.

- In Wolverhampton City Centre there is currently one regular trader offering Caribbean cuisine, one regular trader offering Asian food and one regular trader offering noodles. There is one match day trader offering Indian food and one match day trader offering Caribbean cuisine.
- In Bilston there is currently only one trader offering Indian food.
- In Wednesfield there is currently only one trader offering Asian food.

As delegated authority over street trading, Markets would like to increase the variety of food offering, to limit duplication of trade lines and provide customers with more choice.

### **Current consent conditions – unit specifics**

Current consent conditions state unit specifics relating to the height of opening shutters and minimum counter height, but no mention of requesting consideration for disabled customers. It is anticipated that the new policy will address this gap.

**Has there been any consultation with, or input from, customers / service users or other stakeholders?** If so, with whom, how were they consulted and what did they say? If you haven't consulted yet and are intending to do so, please list which specific groups or communities you are going to consult with and when.

### **1. Consultation group 1 (April 2022)**

| Service              |
|----------------------|
| Police               |
| Safeguarding         |
| Legal                |
| Highways             |
| Planning             |
| Street Scene         |
| Waste                |
| Regeneration         |
| Markets              |
| Enforcement          |
| Equalities           |
| Trading Standards    |
| Public Health        |
| Environmental Health |
| Licensing            |

## 2. Consultation group 2 (May 2022)

| Group                                                                             |
|-----------------------------------------------------------------------------------|
| Councillors - <i>TBC</i>                                                          |
| Existing street traders                                                           |
| MASTA (Trader Association)                                                        |
| NABMA (Trader Association)                                                        |
| Chamber of Commerce                                                               |
| Wolverhampton BID                                                                 |
| Bilston BID                                                                       |
| Wednesfield Business Group                                                        |
| LSD Promotions                                                                    |
| Retail areas / groups (City Centre, Molineux, Bilston, Wednesfield - <i>TBC</i> ) |

## 3. Regulatory Licensing Committee (June 2022)

Are there any complaints, compliments, satisfaction surveys or customer feedback that could help inform this assessment? If yes, what do these tell you?

A consultation survey will be published as part of the Group 2 consultation process.

## Step 3 – Identifying the negative impact.

a. Is there any negative impact on individuals or groups in the community?

|  |           |
|--|-----------|
|  | Barriers: |
|--|-----------|

| <p>What are the potential or known barriers/impacts for the different 'equality strands' set out below? Consider:</p> <ul style="list-style-type: none"> <li>• <b>Where</b> you provide your service, e.g. the facilities/premises;</li> <li>• <b>Who</b> provides it, e.g. are staff trained and representative of the local population/users?</li> <li>• <b>How</b> it is provided, e.g. do people come to you or do you go to them? Do any rules or requirements prevent certain people accessing the service?</li> <li>• <b>When</b> it is provided, e.g. opening hours?</li> <li>• <b>What</b> is provided, e.g. does the service meet everyone's needs? How do you know?</li> </ul> <p>* Some barriers are justified, e.g. for health or safety reasons, or might actually be designed to promote equality, e.g. single sex swimming/exercise sessions, or cannot be removed without excessive cost. If you believe any of the barriers identified to be justified then please indicate which they are and why.</p> <p><b>Solutions:</b></p> <p>What can be done to minimise or remove these barriers to make sure everyone has equal access to the service or to reduce adverse impact? Consider:</p> <ul style="list-style-type: none"> <li>• Other arrangements that can be made to ensure people's diverse needs are met;</li> <li>• How your actions might help to promote good relations between communities;</li> <li>• How you might prevent any unintentional future discrimination.</li> </ul> |                                                                                         |                                                                                                                                                                                                                                  |                                                                     |
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| Equality Themes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Positive Impacts                                                                        | Negative Impacts identified                                                                                                                                                                                                      | Solutions<br>(ways in which you could mitigate the negative impact) |
| <b>Age</b> (including children, young people and older people)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | N/A                                                                                     | N/A                                                                                                                                                                                                                              | N/A                                                                 |
| <b>Disability</b> (including carers)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | The Council will favourably consider traders who make allowance for disabled customers. | Although it will not be made a mandatory consideration criteria, it may put some traders off if they feel their unit does not consider disabled customer access, resulting in them being put off from submitting an application. | Ensure the policy does not detail any required criteria.            |

|                                                                                                                        |                                                                                            |                                                                                                                                                              |                                                               |
|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| <b>Gender</b> (men and women)                                                                                          | N/A                                                                                        | N/A                                                                                                                                                          | N/A                                                           |
| <b>Race</b> (including Gypsies & Travellers and Asylum Seekers)                                                        | The Council will favourably consider traders who can offer culturally diverse trade lines. | Several traders already offer popular trade lines such as hot dogs, burgers and doughnuts. Future applicants with similar trade lines may result in refusal. | There is an appeal process in place for refused applications. |
| <b>Religion or belief</b> (including people of no religion or belief)                                                  | N/A                                                                                        | N/A                                                                                                                                                          | N/A                                                           |
| <b>Gender Re-assignment</b> (those that are going or have gone through a transition: male to female or female to male) | N/A                                                                                        | N/A                                                                                                                                                          | N/A                                                           |
| <b>Pregnancy and Maternity</b>                                                                                         | N/A                                                                                        | N/A                                                                                                                                                          | N/A                                                           |
| <b>Sexual orientation</b> (including gay, lesbian, bisexual and heterosexual)                                          | N/A                                                                                        | N/A                                                                                                                                                          | N/A                                                           |
| <b>Marriage and Civil Partnership</b>                                                                                  | N/A                                                                                        | N/A                                                                                                                                                          | N/A                                                           |
| <b>Human Rights</b>                                                                                                    | N/A                                                                                        | N/A                                                                                                                                                          | N/A                                                           |

#### Step 4 – Changes or mitigating actions proposed or adopted

Having undertaken the assessment are there any changes necessary to the existing service, policy, function or procedure? What changes or mitigating actions are proposed?

The policy will be newly implemented.

The service will be aware of their consideration obligations as part of the function, in line with the policy requirements.

## Step 5 – Monitoring

**How are you going to monitor the existing service, function, policy or procedure ?**

Monitor:

- Total number of application submissions
- The trade lines within the total application submissions (granted and refused)
- Number of granted consents
- Number of refused consents
- Number of appeals

### Part C - Action Plan

| Barrier/s or improvement/s identified | Action Required | Lead Officer | Timescale |
|---------------------------------------|-----------------|--------------|-----------|
|                                       |                 |              |           |
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**Equality Analysis approved by:**

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| Head of Service:<br> | Date: 12.4.2022 |
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**Please send an electronic copy of the Equality Analysis to the Equality & Diversity Team:**